

REMARKS

Claims 1-24 are pending in this application. Claims 1, 8, 11, and 18 are currently amended, and claims 1-24 stand rejected. Reconsideration and allowance of the present application are respectfully requested in light of the previous amendments and following remarks.

Examiner Interview

Applicants initially wish to thank the Examiner for the courtesies extended to Applicants' representative during the October 24, 2007 telephonic interview. During the interview, the parties discussed potential claim amendments to overcome the currently applied art. Although the parties did not come to an agreement with respect to the allowability of the claims as amended, the parties did agree that the proposed amendments would require further consideration and/or search.

Objections to the Specification

The disclosure is objected to because of informalities, for example, characters are missing on page 2, line 22 and page 4, line 1. By this Amendment, Applicants have corrected the identified errors in the specification. Therefore, Applicants respectfully request that the Examiner withdraw the objection.

Rejections under 35 U.S.C. §102

Claims 1-24 stand rejected under 35 U.S.C. §102(e) as being anticipated by US Pat Pub 2003/0217151 to Roese et al. ("Roese"). This rejection is respectfully traversed.

With regard to claim 1, the Examiner states that Roese teaches each and every element of this claim, including “determining a current physical location of the access terminal [and] determining a current physical location of an identified mobile terminal.” Applicants respectfully submit that as, amended, claim 1 clearly indicates that the mobile terminal and access terminal of the claims are unassociated. Roese teaches a single access terminal, and only the location of the access terminal is determined by an associated system, GPS device, or trusted third party agent. *See* Roese ¶¶ [0071]-[0072]. Thus, Roese never determines a current physical location of an identified mobile terminal, and, to the degree that the access terminal in Roese includes or acts as a mobile terminal, the two terminals are strictly associated. *See* Roese ¶ [0107].

Because Roese does not teach or suggest each and every feature of claim 1, Roes cannot anticipate or render obvious claim 1. Claims 8, 11, and 18 have been amended to recite similar features as claim 1 and are thus equally allowable over Roese. Dependent claims 2-7, 9-10, 12-16, and 19-24 are allowable at least for depending from an allowable base claim. Therefore, Applicants respectfully request that this rejection of claims 1-24 under 35 U.S.C. §102 be withdrawn.

CONCLUSION

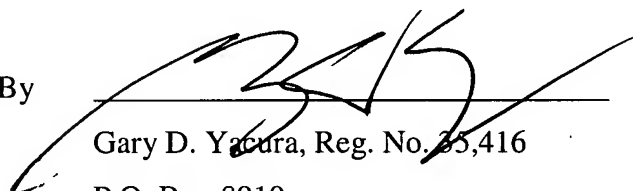
In view of the above remarks and amendments, Applicants respectfully submit that each of the rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,
HARNESS, DICKEY, & PIERCE, P.L.C.

By



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